

REMARKS

The applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received in the parent application.

The applicant acknowledges and appreciates receiving a copy of each of four forms PTO-1449, on which the examiner has initialed all listed items.

Claims 1-3 and 7-9 are pending. Claims 4-6 and 10-16 have been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Minor amendments have been made to the application as shown above. The title has been amended to reflect the subject matter of the claims. The specification has been amended to correct a minor omission in the cross-referencing of the parent application. Claim 7 has been amended to correct a minor grammatical error.

Claims 1-3, 7, and 9 were rejected under 35 USC 103(a) as being unpatentable over Inoue (US 6,542,365). Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Inoue (US 6,542,365) in view of Eguchi *et al.* The applicant respectfully requests withdrawal of these rejections for the following reasons.

As explained in the amendment of 4 December 2004 in the parent application, under 35 USC 103(c), the patent to Inoue is not to be used to preclude patentability under section 103 because the Inoue patent qualifies as prior art under section 102(e), and the patent to Inoue and

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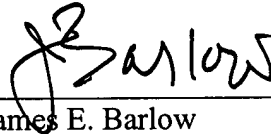
present application were commonly owned at the time the invention was made. Therefore, the applicant respectfully requests that the rejections that rely on the patent to Inoue be withdrawn.

In addition, the foreign priority date of the present application (25 April 2001) is earlier than the filing date of the patent to Eguchi *et al.* (25 November 2002). Therefore, the patent to Eguchi *et al.* does not qualify as prior art.

In view of the forgoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J Barlow', written over a horizontal line.

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